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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL No. 442 OF 2006

Office Ntes, Office Memoranda of Coram, appeaances, Court's orders or directions and Registrar's orders	: Court's or Judge's order : : :

Mr. Jaideep Deo, i/b D. K. Dhakephalkar, advocate for the appellants.

Mr. Tejdas Deshmukh i/b A. A. Kumbhkoni, advocate for respondent Nos. 1, 3 & 5.

CORAM : S. J. VAZIFDAR, J.

DATE : AUGUST 28, 2007.

PC

. In this second appeal, question of law does not arise. The appellants' suit for partition has been dismissed by the lower appellate Court only in respect of the house property, but not in respect of agricultural land. This was on the finding that the agricultural land was the self

acquired property of the appellants' father who in turn sold the same to the appellants' brother/respondent No.1. The conclusion has arisen on consideration of the entire evidence.

. In the circumstances, the dispute sought to be raised is only on facts. The second appeal is therefre, dismissed.